

REMARKS/ARGUMENTS

This is in response to the Office Action of September 13, 2006. The period for response has been extended by three (3) months to March 13, 2007 by the enclosed petition for extension of time.

In that Office Action the Examiner rejected claims 1-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gogolewski et al. (5,275,601) in view of Jarrett et al. (5,621,050).

The rejection of Claims 1-13 under 35 USC 103(a) as being unpatentable over Gogolewski et al. (5,275,601) in view of Jarrett et al. (5,621,050) is respectfully traversed.

Gogolewski et al. disclose a resorbable bone screw and bone plate system that “allows the avoidance of the premature loosening of stability of the fracture fixation” (See Col. 2, lines 14-17). This is accomplished by having a self-locking screw head with corrugations that engages mating corrugations surrounding an opening in the bone plate. The screw threaded section of Gogolewski et al.’s screw does not engage the bone plate or the corrugations, but only engages bone beneath the plate. There is no device drag. Goglewski et al. do not contemplate device drag, and device drag is not a problem that they seek to overcome. They seek to have an interlocking screw head that prevents a screw from backing out of the fixation site by interlocking with a bone plate. Indeed, Goglewski et al. teach away from the coated devices of the present invention, since a coating that would reduce device drag would counteract the fixation that they desire. Jarrett et al. teach a coating to reduce tissue drag. Jarret et al. do not recognize the problem of device drag. They seek to solve the problem of tissue damage associated with tissue drag. They do not discuss or suggest a way to overcome device drag.

Neither Gogolweski et al. nor Jarrett et al., alone or in combination, disclose or suggest Applicants’ novel invention of a medical device having contact surfaces coated with a lubricating bioabsorbable coating to reduce device drag. The combination of the references does

not produce Applicants' claimed invention. The Examiner pointed out no teaching or reference discussing the desirability of such a combination, or suggesting such a combination.

Indeed, none of the references cited by the Examiner recognize the problem of device drag in absorbable medical devices, and, none of these references either alone or in combination suggest a solution to this problem. Applicants' novel devices overcome certain disadvantages relating to device drag, allowing bioabsorbable implants to be used in procedures that were conventionally done with nonabsorbable implants. There are numerous clinical advantages to a patient in having a bioabsorbable device implanted versus having a nonabsorbable implant. Thus the present novel invention provides a major advantage to the patient and facilitates the implantation of these devices by the surgeon.

Therefore, in view of the arguments and discussion hereinabove, the Examiner is respectfully requested to withdraw his rejections, make the amendments to the claims of record, and allow the claims.

Respectfully submitted,

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